

1  
2  
3  
4  
5  
6  
7  
8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT SEATTLE

11                  VICKI WILL ,

12                  Plaintiff,

CASE NO. C22-1813 MJP

ORDER OF CONSOLIDATION

v.

13                  CONVERGENT OUTSOURCING,  
14                  INC.,

Defendant.

15  
16  
17                  The Court issues this Order sua sponte after reviewing the complaint (Dkt. No. 1-1) and  
18                  the notice of related cases (Dkt. No. 13). The Court ORDERS that this matter be consolidated for  
19                  all purposes with the consolidated matter of Guy v. Convergent Outsourcing Inc., C22-1558  
20                  MJP.

21                  Under Rule 42(a), the Court may consolidate cases that involve common questions of law  
22                  or fact. Fed. R. Civ. P. 42(a). The Court enjoys broad discretion in making this determination.  
23                  See Inv'rs Research Co. v. U.S. Dist. Ct. for Cent. Dist. of Cal., 877 F.2d 777, 777 (9th Cir.  
24                  1989). The Court usually considers several factors in analyzing consolidation, including judicial

1 economy, whether consolidation would expedite resolution of the case, whether separate cases  
2 may yield inconsistent results, and the potential prejudice to a party opposing. See 9 Charles  
3 Alan Wright & Arthur R. Miller, Federal Practice and Procedure: Civil § 2383 (3rd ed. 2020).

4 Consolidation is appropriate here given that this action presents common questions of law  
5 and fact with those presented in the consolidated matter of Guy v. Convergent Outsourcing Inc.  
6 and there are substantial efficiencies to be gained by consolidation. All of the actions concern the  
7 same data breach resulting from a cyber-attack on Convergent. And the Plaintiff in this action  
8 pursues the same or similar causes of action against Convergent as the plaintiffs pursue in Guy  
9 and on behalf of an overlapping proposed class. Consolidation for all purposes will conserve  
10 party and judicial resources. And the Court is unaware of any inconvenience, delay, confusion,  
11 or prejudice that may result from consolidation. As such, the Court ORDERS that this matter be  
12 CONSOLIDATED with Guy v. Convergent Outsourcing Inc., C22-1558 MJP. All filings in this  
13 action shall be filed on the docket of the first-filed case (C22-1558) with the following caption:

14  
15 LEO GUY, individually, and on behalf  
16 of all others similarly situated,

17 Plaintiff,

18 v.  
19 CONVERGENT OUTSOURCING,  
INC.,

20 Defendant.

CASE NO. C22-1558 MJP

21 The Clerk is directed to file this Order on the docket of C22-1813 and administratively  
22 close the action.

23 \\

The clerk is ordered to provide copies of this order to all counsel.

Dated January 13, 2023.

Wesley Pekom

Marsha J. Pechman  
United States Senior District Judge